

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ISRAEL BRANDON,

Plaintiff,

File No. 2:08-CV-152

v.

HON. ROBERT HOLMES BELL

DAVID BERGH, et al.,

Defendants.

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**ORDER AND JUDGMENT ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On November 25, 2008, United States Magistrate Judge Timothy P. Greeley issued a report and recommendation ("R&R") recommending that Plaintiff's request for injunctive relief be denied. After obtaining an extension of time to file his objections (Dkt. No. 79), Plaintiff filed objections to the report and recommendation on January 9, 2009. (Dkt. No. 92.)

This Court is required to make a *de novo* determination of those portions of the R&R to which objection has been made, and may accept, reject, or modify any or all of the Magistrate Judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

Plaintiff's objections are essentially a restatement of his claim that he is being served contaminated food, and these contentions are adequately addressed in the report and

recommendation. Because Plaintiff has not identified any errors in the Magistrate Judge's analysis, and because the Court agrees with the Magistrate Judge that Plaintiff has failed to meet his heavy burden of establishing that the extraordinary and drastic remedy of an injunction is appropriate under the circumstances,

**IT IS HEREBY ORDERED** Plaintiff's objections to the November 25, 2008, R&R are **DENIED**.

**IT IS FURTHER ORDERED** that the November 25, 2008, R&R (Dkt. No. 54) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's motion for temporary restraining order or preliminary injunction (Dkt. No. 31) is **DENIED**.

Dated: May 13, 2009

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE